

GLICKMAN & HUGHES, L.L.P.
909 Fannin, Suite 3800
Houston, Texas 77010
(713) 658-1122
Julius Glickman
(Texas State Bar No. 08030000)
Ashton Bachynsky
(Texas State Bar No. 24001673)

Attorneys for Plaintiff
Robert P. "Skip" Cummins

SNITOW KANFER
HOLTZER & MILLUS, LLP
575 Lexington Avenue, 14th Floor
New York, New York 10022
(212) 317-8500
Alan Heblack (AH 1219)

Attorneys for Plaintiff
Robert P. "Skip" Cummins

THIS DOCUMENT FILED ELECTRONICALLY

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ROBERT P. "SKIP" CUMMINS,

Plaintiff,

- against -

SUNTRUST CAPITAL MARKETS, INC.,
AMIT HAZAN, AND JONATHAN BLOCK,

Defendants.

: Case No. 07 CV 4633
: (JGK) (JCF)

: **NOTICE OF MOTION FOR**
: **ADMISSION *PRO HAC VICE***

PLEASE TAKE NOTICE that upon the annexed Affidavit of Alan Heblack, Esq., sworn to on June 8, 2007, and the exhibits annexed thereto, the Affidavit of Ashton C. Bachynsky, Esq., dated May 30, 2007, a motion will be made by the undersigned pursuant to Local Civil Rule 1.3 of the Local Rules of the United States District Court for the Southern District of New York before Judge John G. Koeltl, Room 1030, United States Courthouse, 500 Pearl Street, New York, New York 10007-1312, on a date and time to be set by this Court for an order of admission permitting Ashton C. Bachynsky, Esq. to appear in this action *pro hac vice* on

behalf of plaintiff Robert P. "Skip" Cummins and granting such other and further relief as the Court deems just and proper.

Dated: New York, New York
June 11, 2007

SNITOW KANFER
HOLTZER & MILLUS, LLP

By: 

Alan Heblack (AH 1219)
575 Lexington Avenue, 14th Floor
New York, New York 10022
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-and-

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Ashton Bachynsky
(Texas State Bar No. 24001673)

Attorneys for Plaintiff
Robert P. "Skip" Cummins

TO: Suntrust Capital Markets, Inc.
c/o CT Corporation
111 Eighth Avenue
New York, New York 10011

Amit Hazan
c/o CIBC World Markets
300 Madison Avenue
New York, New York 10017

Jonathan Block
c/o Sun Trust Robinson Humphrey
711 Fifth Avenue
New York, New York 10022

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Robert P. "Skip" Cummins

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THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ROBERT P. "SKIP" CUMMINS,

Plaintiff,

- against -

SUNTRUST CAPITAL MARKETS, INC.,
AMIT HAZAN, AND JONATHAN BLOCK,

Defendants.

: Case No. 07 CV 4633
: (JGK) (JCF)

: **AFFIDAVIT OF**
: **ALAN HEBLACK**

:

:

-----X

STATE OF NEW YORK)

) ss.:

COUNTY OF NEW YORK)

ALAN HEBLACK, being duly sworn, deposes and says:

1. I am Of Counsel at Snitow Kanfer Holtzer & Millus, LLP, attorneys for plaintiff Robert P. "Skip" Cummins. I am a member of the Bar of the State of New York and was admitted to practice before this Court in 1976.

2. I am a member in good standing of both the Bar of the State of New York and the United States District Court for the Southern District of New York and have never been

disciplined or sanctioned. I am familiar with the federal rules of civil procedure and the local rules of this Court.

3. I submit this affidavit in support of plaintiff's motion for an order permitting Ashton C. Bachynsky, Esq. of the firm of Glickman & Hughes, L.L.P., to appear in this action *pro hac vice* on behalf of the plaintiff.

4. As indicated in Mr. Bachynsky's accompanying Affidavit, he is admitted, practicing, and in good standing as a member of the Bar of the State of Texas.

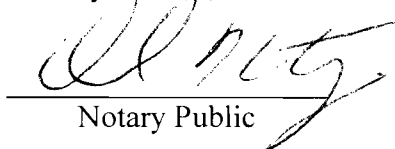
5. As indicated in the certificates of the U.S. District Court for the Southern District of Texas and the Chief Disciplinary Counsel for the State of Texas issued within the past thirty days (Exhibits 1 and 2), Mr. Bachynsky is admitted, practicing, and in good standing in the U.S. District Court for the Southern District of Texas and the Texas State Courts.

6. I know Mr. Bachynsky to be a reputable and competent attorney and I recommend his admission.

WHEREFORE, I respectfully request that this Court grant plaintiff's motion pursuant to Local Civil Rule 1.3 of the Local Rules for the United States District Court for the Southern District of New York, permitting Ashton C. Bachynsky to appear in this action *pro hac vice* on behalf of the plaintiff.


ALAN HEBLACK (AH 1219)

Sworn to before me this
11th day of June, 2007


Notary Public

DANIEL KAMINETSKY
Notary Public, State of New York
No. 02KA6094984
Qualified in Westchester County
Commission Expires June 30, 20__

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT P. "SKIP" CUMMINS

Plaintiff

- against -

**SUNTRUST CAPITAL MARKETS, INC.
AMIT HAZAN, AND JONATHAN BLOCK**

Defendants

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_____ **CV** _____ ()

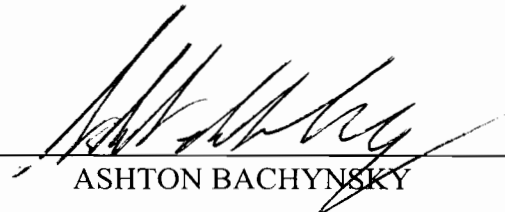
**AFFIDAVIT OF
ASHTON BACHYNSKY, ESQ.**

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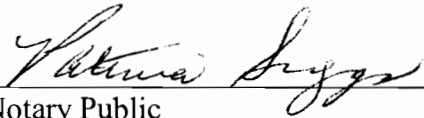
ASHTON BACHYNSKY, being duly sworn, deposes and says:

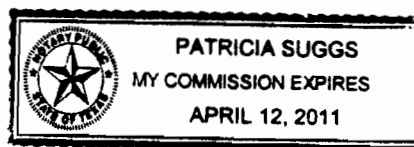
1. I am an attorney duly admitted to practice law in the State of Texas. I am a partner in the firm Glickman & Hughes, L.L.P.
2. I am submitting this Affidavit in support of my application for admission *pro hac vice* to represent Plaintiff Robert P. "Skip" Cummins.
3. Glickman & Hughes, L.L.P. represents Mr. Cummins and was retained by Mr. Cummins to represent him in this action which alleges defamation.
4. I have been practicing law since 1997 and have specialized in civil litigation.
5. I am currently a member in good standing of the State Bar of Texas and the United States Federal District Court, Southern District of Texas. Certificates of Good Standing from each of those jurisdictions are attached as Exhibits A and B. I have never been disciplined, censured or suspended from the practice of law by any Court.
6. I have read and am familiar with the Federal Rules of Civil Procedure and the Local Rules of this Court. I submit to the disciplinary jurisdiction of this Court for any alleged misconduct that arises from my admission *pro hac vice* and participation in these matters.
7. Alan Heblack, Esq. of Snitow Kanfer Holtzer & Millus, LLP, New York, New York, will act as local counsel for Mr. Cummins in these actions.

WHEREFORE, I respectfully request that I be permitted to appear *pro hac vice* for Plaintiff Cummins in these matters.


ASHTON BACHYNSKY

Sworn to before me this 30th day of May, 2007.


Notary Public



K:\CUMMINS.1397.00\DEFAMATION_1397.02\affidavit_abachynsky.wpd
May 30, 2007

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

§

SOUTHERN DISTRICT OF TEXAS

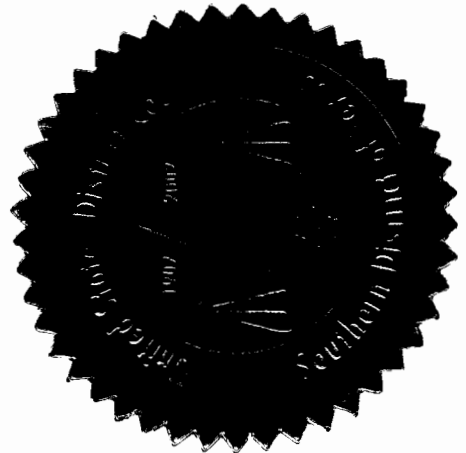
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§

I, MICHAEL N. MILBY, Clerk of the United States District Court for the
SOUTHERN DISTRICT OF TEXAS

DO HEREBY CERTIFY That **Ashton C. Bachynsky**, Federal ID No. **22201** was duly
admitted to practice in said Court on **June 12, 1998** and is in good standing as a member of the bar of
said Court.

Dated May 24, 2007 at Houston, Texas.



MICHAEL N. MILBY, Clerk

By: Patricia Ann Williams
Patricia Ann Williams
Attorney Admissions Clerk

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

May 25, 2007

Re: Ashton Carlo Bachynsky, State Bar Number 24001673

To Whom It May Concern:

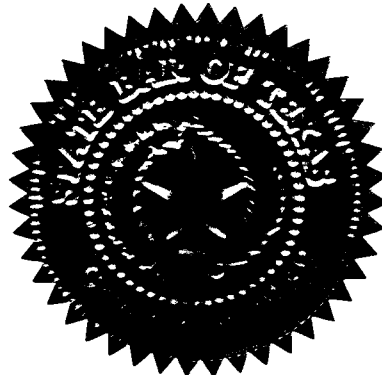
This is to certify that Mr. Ashton Carlo Bachynsky was licensed to practice law in Texas on November 7, 1997, and is an active member in good standing with the State Bar of Texas. "Good standing" means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No previous disciplinary sanctions have been entered against Mr. Bachynsky's law license.

Sincerely,

John A. Neal
Chief Disciplinary Counsel

JN/ss



AFFIDAVIT OF SERVICE

[illegible]

EUGENE SOTO, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Suffolk County, State of New York; that on the 13th day of June, 2007, deponent served a true copy of the attached Notice of Motion for Admission *Pro Hac Vice* by depositing a true copy thereof in a post-paid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York and addressed to the following attorney of record:

Suntrust Capital Markets, Inc.
c/o CT Corporation
111 Eighth Avenue
New York, New York 10011

Amit Hazan
c/o CIBC World Markets
300 Madison Avenue
New York, New York 10017

Jonathan Block
c/o Sun Trust Robinson Humphrey
711 Fifth Avenue
New York, New York 10022 Medco Plumbing Inc.
65-11 Meadow Lane
Flushing, NY 11365



EUGENE SOTO

Sworn to before me this
13th day of June, 2007

Alison Trainer
Notary Public

ALISON TRINOR
Notary Public, State of New York
No. 02TR6141177
Qualified in New York County
Commission Expires February 13, 2010